



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF SOCIAL SERVICES

August 31, 2018

### Supplemental Nutrition Assistance Program Manual - Volume V

#### Transmittal #23

This transmittal contains revised elements used to determine eligibility and benefit amounts for the Supplemental Nutrition Assistance Program (SNAP). This transmittal also includes new or revised provisions, including clarification on access to the EBT administrative terminal and the local agency's responsibility for providing replacement EBT cards to SNAP households.

The provisions of this transmittal are effective October 1, 2018 for all SNAP actions taken on or after October 1, 2018.

The certification manual and this transmittal are available at  
<https://snapmanual.dss.virginia.gov/FoodStampManual/mainpage.jsp>.

Changes are noted for the following sections:

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Chapter	Significant Changes
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Part I  
Pages 1

Access to EBT update capability and access to the EBT terminal have been clarified to require local agencies to separate access and supervision of local personnel performing these duties. Staff with update capability in the EBT administrative terminal cannot have update capability in VaCMS or D-SNAP. Staff with update capability in VaCMS or D-SNAP can only have inquiry access in the EBT administrative terminal.

Chapter	Significant Changes
Part II Appendix II Pages 1-3	Clarification on eligibility criteria for the Virginia Combined Application Project (VaCAP) updated to include having an unmarried marital status.
Part VI Pages 3-8	<p>Elderly disabled persons may participate as separate SNAP households from others in the house even though they purchase and prepare meals together as long as the income of others does not exceed 165% of the federal poverty levels. The income levels for the separate household evaluation were increased.</p> <p>Minimum payments needed to determine boarder status were revised.</p>
Part X Pages 1-6	The standard deduction amounts for all household sizes were increased. The maximum shelter deduction was increased from \$535 to \$552. The utility allowances were increased from \$306 and \$381 to \$311 and \$387, respectively. The telephone standard was increased from \$59 to \$61.
Part XI Page 1	The maximum gross and net income limits were increased.
Part XIV Page 2	The maximum income limit chart based on household size and pay frequency for change reporting was updated.
Part XVIII Pages 1-5	Guidance for replacing EBT cards has been updated to require the local agency to offer a vault card and the option to mail a replacement EBT card based immediately upon request.
Part XX Page 1	Local agencies are required to submit a local disaster plan to the D-SNAP coordinator no later than April 15 <sup>th</sup> annually.

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Chapter	Significant Changes
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Part XXIII

Page 1,

Allotment table

Maximum benefit amounts for each household size were updated. Maximum net income limits were revised.

Questions about this transmittal should be directed to regional program consultants or Claudia Jackson at [claudia.jackson@dss.virginia.gov](mailto:claudia.jackson@dss.virginia.gov) at (804) 726-7346.

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S. Duke Storen  
Commissioner

Attachment

## A. PURPOSE OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

A goal of the Supplemental Nutrition Assistance Program (SNAP) is to reduce hunger and increase food security. The Program permits low-income households to have a more nutritious diet through normal channels of trade by increasing the food purchasing power for eligible households. The Program also provides food when there is a disaster.

This manual provides SNAP certification procedures for Virginia. The Virginia Electronic Benefits Transfer (EBT) Policy and Procedures Guide provides guidance for the issuance of EBT cards to eligible households.

## B. HISTORY OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

The Food Stamp Program started in four Virginia localities (Lee, Wise, Dickenson and the City of Norton) during the pilot phase of its development before the establishment of the permanent program on a national basis. Through requests to operate the Program from local governing bodies, more than 70 localities in Virginia expanded the Program by June 1974. President Nixon signed the Farm Bill into law in August 1973 that required nationwide implementation of the Food Stamp Program effective July 1, 1974. Nationwide implementation of the Food Stamp Program eliminated the Surplus Commodity Program which was an alternate food program available to localities.

The Food Stamp Act of 1964 authorized the Food Stamp Program on a permanent basis. The Food Stamp Act of 1977 and subsequent amendments amended the 1964 Act and is the basis of the current Supplemental Nutrition Assistance Program. Provisions of the Food, Conservation and Energy Act of 2008 renamed the Food Stamp Act of 1977, as amended, to the Food and Nutrition Act of 2008 and renamed the Food Stamp Program as the Supplemental Nutrition Assistance Program (SNAP).

The U.S. Department of Agriculture administers SNAP nationally through the Food and Nutrition Service (FNS). In Virginia, local departments of social services operate the Program at the county/city level under the supervision of the Virginia Department of Social Services.

## C. BENEFIT ISSUANCE AND USE

Eligible households receive SNAP benefits electronically. Households receive a plastic EBT card with a magnetic stripe and must use a personal identification number (PIN) to access the benefits.

During the certification interview or other agency contact with eligible households, the agency must advise or discuss with households of the following:

- How to access benefits using the EBT card;
  - **The primary cardholder** and authorized representative will each receive a card.
  - Cardholder should sign the EBT card upon receipt.
- Selecting and protecting the PIN and EBT card;
- When benefits will be available upon certification and for future months;
- Use the EBT card at any retail store or other food vendor authorized by USDA to accept SNAP benefits. Note that authorized retailers may display a sign indicating authorization

- that reads, "We accept SNAP Benefits" or similar language, or that displays the QUEST logo. Other authorized facilities include:
- Nonprofit meal delivery services, such as Meals-On-Wheels, or feeding sites for the elderly;
  - Authorized drug addiction and alcoholic treatment and rehabilitation centers;
  - Certain group living arrangements;
  - Shelters for battered women and children; and
  - Authorized nonprofit establishments that feed homeless persons and restaurants authorized to accept SNAP benefits.
- Proper use of the benefits;
    - Purchase any food or food product for human consumption; or
    - Purchase seeds and plants for use in gardens to produce food for the household's personal consumption.
  - Use of when making purchases:
    - Separate eligible items from ineligible ones at the checkout counter unless the store is electronically programmed to identify eligible and ineligible items.
    - Advise the cashier beforehand of the intent to use SNAP benefits if electronic programming is not available to denote SNAP benefits or when the household will use EBT in conjunction with other payment methods.
  - Improper use of benefits. Households may not use SNAP benefits to purchase or pay for the following:
    - Alcoholic beverages or tobacco;
    - Hot foods ready for immediate consumption or food to eat on the store's premises;
    - Pet foods, soap products, paper products, or other non-food items usually available in a grocery store;
    - To pay back grocery bills or tabs for food received on credit;
    - Firearms, ammunition, explosives, or controlled substances;
    - Purchasing a product with SNAP benefits and intentionally:
      - discarding the contents in order to return the container for the return deposit amount;
      - reselling a purchased product for cash; or
      - exchanging a purchased product for cash or for consideration other than eligible food.
  - At reapplication or recertification, determine if another EBT card is needed.

The agency must assist households who have difficulty in accessing their SNAP benefits, such as households comprised of elderly or disabled members, homeless households or those without a fixed mailing address. For example, the agency might assist an elderly person who is housebound in finding an authorized representative who might access the household's benefit account and shop for groceries on behalf of the household. To ensure timely participation, the agency should issue a vault card to Address Confidentiality Program participants who elect to use a substitute mailing address. See Part VII.B.

Field offices for the USDA are responsible for authorizing retailers to accept SNAP benefits and are responsible for ensuring compliance of SNAP regulations by retailers. The Richmond Field Office (637) is responsible for Virginia localities. Contact information is:

Food and Nutrition Service, USDA  
1606 Santa Rosa Road, Suite 129  
Richmond, Virginia 23229

Telephone: (804) 287-1710  
Fax: (804) 287-1726

D. PERSONNEL AND OFFICE OPERATIONS (7 CFR 272.4(a))

The local agency must provide qualified employees necessary to take prompt action on all applications. Local agency employees who certify households for participation in the Supplemental Nutrition Assistance Program must meet the same personnel standards as those used by the local agency for personnel who certify applicants for benefits under the federally aided public assistance programs. Only qualified local agency employees may conduct the interview of applicant households required by Part II.D and determine the household's eligibility or ineligibility and the level of benefits. In addition, only authorized employees or agents of the state or local agency, or a local issuing agency **who do not have the ability to authorize SNAP or D-SNAP benefits may have access issue to EBT cards. These individuals will have update capability in the EBT administrative terminal. Eligibility staff are only allowed inquiry only access to the EBT administrative terminal.**

The local agency must provide timely, accurate, and fair service to SNAP applicants and participants. Each local agency must establish office procedures and operations that accommodate the needs of the populations it serves. **The local agency must not establish any policies, regulations, or rules that creates a barrier to accessing SNAP benefits.** Populations with special needs may include households with elderly or disabled members, homeless households, and households with members who work during normal office hours. The local agency must provide bilingual staff and interpreter services to households with limited English proficiency.

E. NONDISCRIMINATION

Federal law and the Virginia Human Rights Act, Virginia Code §2.2-2632 et seq., bar discrimination on the basis of age, race, sex, disability, religious creed, national origin, and political belief. The following civil rights laws apply for SNAP:

- The Age Discrimination Act of 1975, 42 U.S.C. §6101 et seq.
- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794
- The Americans with Disabilities Act of 1990, 42 U.S.C. §12101 et seq.
- Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.

Virginia has established procedures to ensure fair and equitable treatment of applicants and recipients of public assistance. The local department of social services must assure that no person will be subjected to discrimination on the grounds of age, race, color, sex, disability, religious creed, national origin, or political belief.

Key Principles

Compliance with these laws assures that equal opportunity exists for persons with disabilities to benefit from all aspects of public assistance programs, including access to the proper support services to enable such individuals to work and to keep their families healthy, safe and intact. "Individualized treatment" and "effective and meaningful opportunity" are two key principles that underlie the bar on discrimination against people with disabilities.

### Individualized Treatment

“Individualized treatment” requires that individuals with disabilities be treated on a case-by-case basis consistent with facts and objective evidence. Individuals with disabilities must not be treated on the basis of generalizations and stereotypes.

### Effective And Meaningful Opportunity

“Effective and meaningful opportunity” means that individuals must be afforded meaningful access to SNAP so that individuals with disabilities benefit from and have meaningful access to SNAP to the same extent as individuals who do not have disabilities.

### Legal Requirements

In order to implement these two principles, the following legal requirements must be met:

- Ensure equal access through the provision of appropriate services to people with disabilities.
- Modify policies, practices and procedures to provide such equal access.
- Adopt nondiscriminatory methods of administration in the program.

### Applicability to All Staff, Contractors, Vendors at the State and Local Levels

In compliance with the federal laws, Virginia does not discriminate against people with disabilities in SNAP. This policy applies to all Department of Social Services state and local staff. The policy also applies to agencies and entities contracted with for services. State and local agencies must ensure that contractors and vendors do not subject recipients to discrimination.

### Definition Of A Person With A Disability

Federal law protects individuals with a “disability.” This term is defined to mean a person who has a physical or mental impairment that substantially limits one or more of the major life activities of that individual, a person who has a record of such impairment, or a person who is being regarded as having such impairment. See Definitions for a detailed definition for SNAP applicability.

1. Discrimination Complaints - People who believe that they were subject to discrimination may file a complaint by calling (866) 632-9992 (voice). (800) 877-8339 (Federal Relay Service), or (800) 845-6136 (Spanish), or by writing:

U.S. Department of Agriculture  
Director, Office of Civil Rights  
1400 Independence Avenue SW  
Washington, D.C. 20250-9410

State and local social services agencies must accept all written or verbal complaints of discrimination, log the complaint and forward them within five work days to the Department of Agriculture address above or below and to the Virginia Department of Social Services.

Civil Rights/EEO Director  
USDA - Mid-Atlantic Region  
300 Corporate Boulevard  
Robbinsville, NJ 08691-1598  
Telephone – (609) 259-5123

Civil Rights Program Administrator  
Virginia Department of Social Services  
801 East Main Street  
Richmond, Virginia 23219-2901

If the individual making the complaint does not put the complaint in writing, the person receiving the complaint must do so. Complaints must be accepted even if the information specified below is not complete. Advise the complainant of the program's restrictions on disclosure of information. A complaint must be filed no later than 180 days from the date of the alleged discrimination. Whenever possible, the complaint should include the following:

- a. Name, address, and telephone number or other means of contacting the person alleging discrimination.
  - b. The location and name of the organization or office that is accused of discriminatory practices.
  - c. The nature of the incident, action, or the aspect of program administration that led the person to allege discrimination.
  - d. The basis for the alleged discrimination (age, sex, race, religion, color, disability, national origin, or political belief).
  - e. The names, addresses, telephone numbers, and titles of persons who may have knowledge of the alleged discriminatory acts.
  - f. The date or dates on which the alleged discriminatory actions occurred or, if continuing, the duration of the actions.
2. Public Notification - Requirements for displaying a nondiscrimination poster are addressed in Part I.I.
  3. Annual Training – All persons who interact with SNAP applicants and participants and those who supervise such staff must participate in annual civil rights training. This training is available online through the VDSS Knowledge Center.
  4. Reasonable Accommodations - The worker must consider whether a person may have a disability, and how a person's disability may affect the person's ability to comply with rules, fill out forms, attend appointments, etc. If it is determined that a person has a disability that affects the ability to comply with program rules or procedures, the worker



has the authority to make reasonable modifications to program rules, requirements and procedures to ensure that the person with a disability receives full and meaningful access to SNAP benefits.

Evidence of disability of a household member, including any indications that a household member may have a disability, and all requests for reasonable accommodations must be documented in the case file.

### Examples

Ms. A applies for SNAP. She has a learning disability and is unable to complete the application. As a reasonable accommodation, staff assists her to complete the application.

Ms. B is not able to come to the office due to the nature of her disability. Staff arranges to obtain the information by phone.

Ms. C missed repeated appointments. It is determined that she has a mental illness that prevents her from organizing information and keeping track of appointments. The staff phones her on the morning of an appointment to help her to remember to keep the appointment.

## F. COLLECTION OF RACIAL/ETHNIC GROUP DATA

Local agencies must record the race and ethnicity of each household.

<u>The racial categories are:</u>	
White	Asian
Black or African American	American Indian or Alaskan Native
Native Hawaiian or other Pacific Islander	
<u>The categories for ethnicity are:</u>	
Hispanic or Latino	Not Hispanic or Latino

Applications for SNAP benefits ask the applicant to identify the racial and ethnic categories for each member. The applicant may select more than one category for race. The worker must advise the applicant that the information is voluntary, that it will not affect eligibility or benefit level, and that the reason for the collection of this information is to ensure that there is no discrimination with regard to the receipt of SNAP benefits.

When the applicant does not voluntarily provide the information, the worker must code the data based on observation. If a telephone interview is conducted or the worker is unable to determine the racial or ethnic categories, the worker must leave the field blank. The State Agency must report the racial and ethnic data annually to USDA.

G. RETENTION OF RECORDS (7 CFR 272.1(f))

SNAP documents must be maintained for a minimum of three years from the month of the last benefit issuance or benefit determination of ineligibility. Some records require a longer retention period. The retention period is dependent on the record type and activity related to the record. Annual systematic purging of material unrelated to legal, fiscal, administrative, or program administration is recommended.

1. Certification records must be retained for a minimum of three years from the month of origin of each record. Certification records may include any material that documents the basis for an allotment, the determination of eligibility, or the establishment of a claim. Records needed to support claims collection activity or long-term eligibility determinations or disqualifications must be kept longer than three years. Certification records may also include the authorization and issuance of a vault EBT card or authorization for crediting the card replacement fee back to an EBT account.
  - a. Records related to claims must be kept for three years after a claim is repaid or is administratively closed.
  - b. Records that support investigation of a suspected Intentional Program Violation must be kept until the case has been resolved if the investigation was initiated during the normal three-year retention period for certification actions.
    - c. Records about Intentional Program Violation disqualifications must be kept for the life of the individual or until FNS notifies through the disqualified recipient system that the record is no longer needed.
  - d. Records to document work registration, voluntary quit, or work reduction violations must be retained for the life of the individual who caused the violation or until the person reaches age 60, whichever occurs first.
2. Issuance or administrative records must be retained for a three-year period. The three-year period may be from the month the federal obligation is paid, from the period of final resolution of the issuance billing process or three years from the creation of the record. These records include EBT records.
3. Administrative cost records must be maintained for three years from the date the annual financial status report. These records include fiscal and statistical records, supporting documents, negotiated contracts and any other document related to administrative costs. These records must be retained beyond three years if a claim, litigation or audit is initiated before the end of the three-year period. In these instances, the records must be retained until the claim, litigation, or audit has been resolved.

H. DISCLOSURE OF INFORMATION (7 CFR 272.1(c), 272.1(d))

Use or disclosure of information obtained from SNAP applicant households exclusively for the Supplemental Nutrition Assistance Program is restricted to the following:

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1. Persons directly connected with the administration or enforcement of the provisions of the Food and Nutrition Act or regulations, other federal assistance programs, or federally assisted State programs which provide assistance, on a means-tested basis, to low income individuals. This includes the Office of the Inspector General (OIG) and the Statewide Automated Child Welfare Information System (SACWIS);
2. Employees of the Comptroller General's Office of the United States for audit examination authorized by any other provision of law;
3. Local, state, or federal law enforcement officials upon a written request to investigate an alleged violation of the Food and Nutrition Act or regulations. The written request must include the identity of the individual requesting the information and the authority to do so, the violation being investigated, and the identity of the person on whom the information is requested.
4. Law enforcement officials upon notification that an individual is fleeing prosecution or imprisonment, is in violation of parole or, that an individual has information needed to conduct an investigation of a felony or parole violation. The individual's address, Social Security number, and photograph, if available, must be disclosed upon written request. (The agency may not disclose scheduled appointment dates or times.)
5. The parent locator service to assist in the Child Support Enforcement Program under Title IV-D, upon request; and
6. Persons directly connected with the verification of immigration status of aliens applying for SNAP benefits through SAVE to the extent the information is necessary to identify the individual for verification purposes.

If there is a written request by a responsible member of the household, its currently authorized representative, or a person acting on its behalf, the household representative must be allowed to review material and information contained in the case file, during normal business hours. The agency may withhold confidential information, however, such as the names of individuals who have disclosed information about the household without the household's knowledge, or the nature or status of pending criminal prosecutions.

All local offices of the Department of Social Services must maintain state regulations and manuals that affect the public for examination by the public on regular workdays during regular office hours.

#### **J. PROGRAM INFORMATIONAL ACTIVITIES (7 CFR 272.5)**

SNAP information must be available to the applicant and recipient households in English and in the household's designated language. Program information includes the rights and responsibilities of households. This information may be conveyed through publications, telephone hotlines, and face-to-face contacts.

1. Booklets/Pamphlets

- a. *Virginia Social Services – Benefit Programs* information pamphlet - Applicants may receive this pamphlet at the time of each new application. The EW may provide the pamphlet at each reapplication or recertification if the household no longer has a copy of the pamphlet
- b. *Appeals and Fair Hearings* pamphlet – Local agencies may provide this pamphlet with adverse action notices to reduce or terminate benefits or when applications are denied.
- c. *Virginia EBT Questions and Answers* pamphlet and the EBT wallet card – The local agency or the EBT vendor must provide EBT materials to EBT card recipients upon the initial or replacement issuance of the EBT card. The local agency must provide these EBT materials upon request after the issuance of the EBT card.

2. Posters

These posters must be prominently displayed where SNAP applications are taken:

- a. "And Justice for All"
- b. "Your SNAP Rights"

3. Other Required Activities

- a. The agency must provide an explanation of household rights when applicants request information about the Supplemental Nutrition Assistance Program. The agency may provide a verbal explanation or it may provide the *Know Your Rights When Applying for SNAP Benefits* flyer if the applicant is able to read and comprehend the form in English or other available languages.
- b. The agency must complete the *SNAP - Hotline Information* form and provide it to each applicant on the day the applicant files a new application, a reapplication, or a late recertification application.
- c. The local agency must make an effort to answer general or specific questions related to the Supplemental Nutrition Assistance Program from persons expressing an interest in applying for program benefits. The agency may refer callers to appropriate agency personnel, and if those persons are not available, the agency must arrange to return the call. If it is not possible to return the call, the agency must advise the caller to return the call at a prearranged time when the appropriate personnel will be available to answer the questions.

I. CERTIFICATION MATERIALS (7 CFR 272.4)

SNAP information must be available to the applicant and recipient households in English and the household's designated language. Certification materials include the SNAP application or renewal forms, change report form and notices.

5 so that the household may receive the EBT card by mail by Saturday, August 13 or authorize the issuance of a vault card that the **primary cardholder** or authorized representative could pick up before August 14. Additionally, the SNAP benefits must be posted to the EBT account.

2. Denying the Application (7 CFR 273.2(g)(3))

The agency must send a *Notice of Action* to deny an application if households are ineligible for benefits. The agency must send the denial notice as soon as possible, but not later than 30 days following the application date. Part XXIV contains a copy of the *Notice of Action* and instructions.

3. Processing Cases with Prior Participation in another Locality

When a household indicates on the application or during the interview that it had been certified in another locality or State, for either the month of application or the prior month, the EW must establish the household's current status with the prior agency. The EW must establish and document the effective date of case closure with the prior agency.

The new locality may not issue duplicate benefits for any months covered by the application if the agency can establish that the household or any of its members are still active in the prior locality.

Note: Nutrition Assistance Program (NAP) benefits received from Puerto Rico are not SNAP benefits. There is no duplicate benefit if a household applies for SNAP benefits in the same month. There is no need to determine if the NAP case is closed.

Contacts with Other States

For applications filed by persons who claim they have received SNAP benefits in another state, the agency must confirm that the individual is no longer receiving benefits in that state. If the agency is not able to verify this by the end of the processing period and all other eligibility factors have been met, the agency must approve the application. The agency must continue to seek verification from the other state to minimize the overpayment period in case the individual continued to receive benefits in that state however. If there is no response from the other state, the agency must contact the regional consultant who will ensure the information is forwarded to FNS to follow up with the other state.

If duplicate participation occurs, the Virginia agency must file a claim for any benefits the household received while it also received benefits from the other state. The claim will be household-caused if the household failed to report its connection to another state and the receipt of benefits from the other state. An agency-caused claim will exist if the agency failed to verify termination of benefits from another state.

For household members who are subject to the Work Requirement, the agency must also address participation in another state towards the number of countable months if there is an indication from the application or interview that the member may have received SNAP benefits during the current 36-month period.

## THE VIRGINIA COMBINED APPLICATION PROJECT

The Virginia Combined Application Project (VaCAP) is a partnership between the Virginia Department of Social Services (VDSS), the Social Security Administration (SSA), and the Food and Nutrition Service (FNS) of the United States Department of Agriculture (USDA). This demonstration project streamlines the application process for the Supplemental Nutrition Assistance Program (SNAP) for elderly Supplemental Security Income (SSI) recipients and increases their SNAP participation. It does not replace all SNAP eligibility criteria but streamlines certain criteria as defined in this appendix.

Eligible VaCAP participants are identified through a cross match of the State Data Exchange (SDX) and the current SNAP caseload. SDX information is also used by VDSS to update eligibility for SSI recipients monthly after approval for VaCAP. Applications and recertification applications are mailed monthly.

VDSS notifies applicants that they have the option to apply for and participate in the regular, ongoing SNAP, and have the case managed through the local department of social services (LDSS) according to standard policies and procedures.

### **VaCAP Eligible Household:**

To be eligible for VaCAP, an individual must be identified through the SDX as one who:

- Receives SSI;
- Lives in Virginia;
- Is 65 years of age or older;
- Has any Marital Status other than "Married";
- Is not institutionalized;
- Meets Federal Living Arrangement A (FLA="A"); and
- Has no earned income.

In addition, the individual:

- Is not currently receiving SNAP; and
- Purchases and prepares food separately.

### **VaCAP Application Procedures:**

VDSS will mail a simplified application to SSI recipients who meet the eligibility criteria and who are not currently participating in SNAP. Applicants must sign and return the application to the LDSS in the city or county of residence. If the applicant does not return the application within 30 days, a second application is mailed. If the second application is not returned, an application will be mailed **at** 12 month intervals until a total of five applications are mailed. Individuals may apply for VaCAP if it is determined they meet the VaCAP criteria but, did not receive a computer generated application because they had already received five applications, or an application had been mailed less than 12 months ago, or because they were participating in regular SNAP.

Upon receipt of the VaCAP application, the LDSS must screen the application to ensure:

- application is signed;
- the applicant is not already participating in SNAP (eligibility system inquiry); and
- the applicant is not disqualified from participating in SNAP (eDRS inquiry).

VaCAP applications are not screened for expedited processing nor screened for death and incarceration. Death and incarceration are routinely reported in the SDX data.

If shelter expenses are not marked on the application, the LDSS must process the application using the lower shelter expense.

VaCAP participants may request that their VaCAP case be closed in order to apply for regular SNAP benefits. Participants receiving regular SNAP benefits may request that their case be changed to VaCAP if it is determined they meet all of the VaCAP criteria except for not currently receiving SNAP.

#### **VaCAP Interview Procedures:**

Unless the applicant requests help with the application, there is no certification interview.

#### **VaCAP Verification:**

The SDX provides verification of eligibility factors so no further verification is needed. The applicant's declaration of shelter costs is used.

#### **VaCAP Allotment:**

The applicant's declaration of monthly shelter expenses will be used to determine the SNAP benefit amount.

- High benefit - **\$140** – shelter expenses total \$500 or more
- Low benefit - **\$66** - shelter expenses total \$500 or less

Eligibility begins the first day of the month an application is received. There is no proration of benefits based on the application date.

#### **VaCAP Certification:**

The certification period for cases will be 36 months.

#### **VaCAP Change Reporting:**

Households are not required to report changes. Updates through the SDX satisfy SNAP reporting requirements. If a VaCAP participant reports a change that impacts the household's eligibility for VaCAP or benefit amount, the LDSS must act on the change.

The LDSS worker must also evaluate continued VaCAP eligibility when an alert is received for the following changes reported by the SDX monthly updates:

- the participant moves to another Virginia address;
- a change in the mailing address of an Authorized Representative; and
- a change in the name of an Authorized Representative/payee.

Certain SDX monthly case updates will result in the automatic closure of the VaCAP case. Cases are closed if the SDX reports:

- the participant no longer receives SSI;
- the death of the participant;
- the participant is living in an institution;
- the participant is married;
- a change in the Federal Living Arrangement ;
- the participant has earned income; or
- the participant moved out of state

#### **VaCAP Recertification:**

VDSS will generate and mail a combined expiration notice and an application to recertify for VaCAP. VDSS will mail the recertification application to participants in the month before the certification period expires. Participants must complete the application and return it to the local department of social services for processing. Continued eligibility for VaCAP is determined using the same criteria established for the initial application for VaCAP.

There is no interview or additional verifications required.

#### **Eligibility to Opt-Out of VaCAP**

A VaCAP participant who wants to opt out of the project must request the case be closed. If the participant subsequently applies for regular SNAP and is found eligible, the participant will not receive a supplement for any month for which VaCAP benefits were received.

#### **FAIR HEARINGS**

Fair hearing requests for VaCAP cases are treated the same as all other requests.

#### **QUALITY CONTROL (QC) REVIEWS**

VaCAP cases are part of the QC sample for review and are considered in the completion rate. These cases are included in the State's payment error rate calculation. Quality Control identifies VaCAP cases in a state option field for evaluation purposes.



4. Special Consideration for Elderly and Disabled People (7 CFR 273.1(a)(2)(ii))

Normally, everyone who lives together and who purchases and prepares meals together must be a household for SNAP purposes. However, separate household status may be allowed for a person who is 60 years of age or older and who has a permanent disability, as recognized under the Social Security Act, or who has a non-disease-related, severe, permanent disability. Separate household status will also be allowed for the spouse of an elderly, disabled individual and children under the age of 18 for whom parental control is exercised. The gross income of the remaining household members may not exceed 165% of the Federal Poverty Income Guidelines, as listed below:

<u>Household Size</u>	<u>165% Limit</u>	<u>Household Size</u>	<u>165% Limit</u>
1	<b>\$1,670</b>	6	<b>\$4,640</b>
2	<b>2,264</b>	7	<b>5,234</b>
3	<b>2,858</b>	8	<b>5,828</b>
4	<b>3,452</b>	each additional	
5	<b>4,046</b>	member	<b>+\$594</b>

Do not count the income of the elderly, disabled person and spouse for this calculation. The elderly, disabled person is responsible for obtaining the cooperation of the other individuals in providing necessary income information to the local department of social services.

The key factor in determining whether a disability qualifies a household for separate status under this provision is the inability to purchase and prepare meals. Assessment of a disability under the Social Security Act, as well as other disability programs, is based on an inability to work. The worker must not automatically assume a disability constitutes an inability to purchase and prepare meals apart from others.

No specific verification is required if it is obvious to the worker that the person in question could not purchase and prepare meals. However, when the inability to purchase and prepare meals is not obvious, the worker should request a statement from a physician that the person is unable to purchase and prepare meals separately.

Note: This section does not apply to elderly or disabled individuals whose food is usually purchased and prepared separately from others by someone else.

5. Residing Together Determinations

In some situations, it may become difficult to determine separate household status for people who live together in the same house. Consider factors, such as, but not limited to the following, to determine separate household status:

- a. If there are separate, identifiable units within the dwelling, separate households probably exist.
- b. If common facilities, such as a kitchen and/or a bathroom are shared, separate households probably do not exist.
- c. If a dwelling is constructed as a single-family home, separate households probably

meals alone cannot be distinguished from payment for lodging and meals, the full payment amount will be used to make the determination.

- 2) A reasonable monthly payment must equal or exceed the following amounts if the boarder takes two meals or less per day in the home.

Number of boarders being considered as a separate household	Minimum monthly payment required This is two-thirds of the maximum benefit amount, rounded down to the nearest whole dollar amount, for each household size indicated.
1	<b>\$128</b>
2	<b>235</b>
3	<b>336</b>
4	<b>428</b>
5	<b>508</b>
6	<b>609</b>
7	<b>674</b>
8	<b>770</b>

- 3) A reasonable monthly payment must equal or exceed the following amounts if the boarder takes more than two meals per day in the home.

Number of boarders being considered as a separate household	Minimum monthly payment required This is the maximum benefit amount for each household size indicated.)
1	<b>\$ 192</b>
2	<b>353</b>
3	<b>505</b>
4	<b>642</b>
5	<b>762</b>
6	<b>914</b>
7	<b>1,011</b>
8	<b>1,155</b>

If a single board payment is made for more than one boarder, all boarders for whom the payment is made must be considered as a single household.

#### Example

A mother and daughter board with another household. The mother pays board to the landlord for herself and her daughter. The mother and daughter must be considered as one household if their board payment is equal to or greater than the required minimum monthly payment.

Individuals furnished only meals are not considered boarders. These individuals must be considered members of the household where most of the meals are taken.

If boarder status is questionable, the worker may require statements from the boarder and the person to whom the board is paid, attesting to the arrangement and the amount charged or paid.

## A. INCOME DEDUCTIONS (7 CFR 273.9(d))

Financial eligibility of a household is based on gross or net income, as described in Part XI.A. Benefit level is based on net income which is defined as the total of all countable income, both earned and unearned, after appropriate allowable deductions have been made.

In evaluating expenses toward the calculation of the net income, the household is given credit only for expenses for which a money payment is made or due to someone outside the household. Except for Low-Income Home Energy Assistance Program (**LIHEAP**) payments, deductions will not be allowed for expenses or the portion of expenses made through vendor payments or for which the household will be reimbursed. **LIHEAP** participants (Virginia Energy Assistance Program) may have actual utility expenses considered or may have the utility standard applied even if the expenses are covered by fuel assistance vendor payments but, utility expenses reimbursed or paid through HUD or FmHA utility reimbursements are not deductible.

All households with income will be allowed the following deductions, if appropriate, in determining net income. The worker must assess each potential deduction and use the allowable standard amounts unless the household elects to use actual amounts or is not entitled to use the standard.

1. Standard Deduction (7 CFR 273.9(d)(1))

Each household is entitled to a standard deduction from the total gross income of the household. The amount of the deduction is dependent on the number of eligible household members. For the purpose of determining the standard deduction, household size will not include disqualified or ineligible members.

Household Size	Standard Deduction
1-3 members	<b>\$164</b>
4 members	<b>\$174</b>
5 members	<b>\$204</b>
6 or more members	<b>\$234</b>

2. Earned Income Deduction (7 CFR 273.9(d)(2))

Each household with countable earned income may have an earned income deduction. Twenty (20) percent of the countable gross earnings will be deducted.

The earned income deduction is not allowed when determining the amount overissued if the basis for the claim is because the household failed to report earned income timely.

3. Dependent Care Expense (7 CFR 273.9(d)(4))

Dependent care expenses are allowed as a deduction only if it is necessary for household members to accept or continue employment, seek employment, comply with employment and training requirements, attend training or pursue education that is preparatory for employment. The expense may be incurred for the care of a child or other dependent. An expense that could qualify as a dependent care expense or a medical expense may be allowed as either, dependent care or medical, but not both.

See Part III.A for verification requirements of dependent care expenses. Verification is needed only if the household's declaration is questionable. Acceptable forms of verification include a signed statement from the provider, receipts signed by the provider, or statements from agencies or organizations assisting with child care expenses.

4. Shelter Expense (7 CFR 273.9(d)(5))

The cost of shelter is allowable after all other deductions have been determined. The worker must add together all expenses that are part of the cost of shelter, except food, to arrive at a total shelter cost figure. That portion of the monthly shelter costs that exceeds 50 percent of the household's adjusted net income will be a deduction, up to **\$552** per month, except as noted below. The adjusted net income is determined by subtracting the standard deduction, earned income deduction, dependent care deduction, child support deduction, homeless shelter standard and medical deduction from the total gross income.

The allowable deduction for shelter may not exceed **\$552** except for households that contain a member who is 60 years of age or older or who is disabled, as defined in Definitions. Households with an elderly or disabled member may receive an excess shelter deduction that exceeds the shelter maximum allowed for other households. These households will receive the actual amount that exceeds half the adjusted net income.

In determining the amount to use as the cost of shelter, the following expenses will count unless vendor payments are made on a household's behalf, except as noted in item e. See Parts XI.F.3 and XIII.B for a discussion of vendor payments. Note the special provisions in section 7 for assessing shelter costs for homeless households.

- a. Rent, mortgage, loan payments, or other continuing charges that lead to ownership of a home, mobile home, or other type of shelter, are allowable. This includes second and/or third mortgages and condominium or association fees. It includes the initial cost of moving a mobile home from a dealer to a lot, along with any set-up charges at the lot. For a subsequent move of a mobile home, only the set-up costs at the new lot are allowable. Costs incurred by a tenant in lieu of full or partial rent are allowable rental costs, provided the arrangement is with the mutual agreement of the landlord.
- b. Real estate taxes or personal property taxes on mobile homes are allowable. Taxes on the contents are not allowable.
- c. Insurance premiums on the home structure are allowable. Separate costs for insuring furniture or personal belongings are not allowable. If insurance premiums on the home structure are combined with other costs that cannot be separated, the total premium is allowable.
- d. Repair costs that result from a fire or flood or a similar disaster are allowable, provided the household will not receive reimbursement or assistance from some other source such as insurance or private or public relief agencies. The disaster does not have to be a presidential declaration but can be a personal disaster, such as a fire damaging only one home.

- e. Utilities incurred separately and apart from the rent or mortgage cost are allowable. Actual direct utility costs may be used in determining shelter costs, even if **LIHEAP** covers the costs by a vendor payment.

In some situations, the household may be entitled to use the utility standard as its utility expense, rather than its actual utility expenses.

A standard utility allowance has been established based on the number of persons in the residence. The standard includes an allowance for heat, electricity, gas, water, sewerage, septic tank maintenance fees, garbage collection and telephone. A household may use the standard utility allowance only if the household is responsible for a heating or cooling expense, or it receives **LIHEAP** benefits at the current residence.

Number of Persons	Utility Standard
1 - 3	<b>\$311</b>
4 or more	<b>\$387</b>

Multiple family units living in the same residence may have only one standard utility allowance for the residence, based on the total number of people in the residence. The agency must divide the one utility standard among the units that contribute to meeting heating or cooling costs, regardless of whether each unit is applying for or receiving SNAP benefits. In these instances, each unit may use only its prorated share of the standard allowance, unless it uses its actual costs. The agency may not prorate the standard allowance if the nonhousehold members are all excluded from the household because they are ineligible to receive SNAP benefits.

#### Example

A three-person SNAP unit lives in a house with another person. The SNAP unit and the other person each pay half of the heating costs. The SNAP unit's standard utility allowance is **\$193.50**, i.e. **\$387** based on total number of persons in the home (4 or more) divided by 2, the number of units contributing to heating costs. The SNAP unit may opt to use **\$193.50** as its utility costs, or may use its actual utility expenses.

Only those households that receive **LIHEAP** payments for its current residence or that are responsible for an identifiable heating or cooling expense or an established percentage of an identifiable expense have the option of the utility standard. A cooling cost is a verifiable utility expense relating to the operation of air conditioning systems or room air conditioners. A heating cost is a verifiable utility expense for a primary fuel source.

Examples

1) The SNAP household pays for electricity that the household needs to operate the oil furnace. Other persons in the home buy oil. The SNAP household is not entitled to the utility standard since there is no expense for the primary fuel source. The actual electric bill is allowable since this is a direct utility expense.

- 2) A SNAP household cuts its own wood. This wood is free, but the household incurs expenses for gas and oil for the chain saw. The household may not use the utility standard since the household does not incur an expense for the primary fuel source. The actual incidental expenses connected with obtaining the wood are not allowable since these are not direct utility expenses.

If a household incurs a utility expense, such as electricity or gas, that includes heating or cooling along with other uses, e.g., cooking or lights, the utility standard may still be used. If the household does not incur a separate expense for heating or cooling, it is not entitled to the utility standard unless it receives **LIHEAP** payments. Actual costs of utilities incurred by households that are not entitled to the utility standard are allowable expenses.

Households that have their utilities included in their rent, but who may, on occasion, have to pay an excess utility charge, may not claim the utility standard unless they receive **LIHEAP** payments. Households that receive HUD or FmHA payments may use the utility standard if they are responsible for utility costs beyond the HUD or FmHA payment. Households that pay a flat amount, not a percentage, for utilities to the homeowner instead of the utility vendor may not use the utility allowance. Actual or anticipated amounts for these utility charges are allowable.

If a household incurs a heating or cooling expense at any point during the year, or if such an expense is anticipated, or the household received a **LIHEAP** payment during the period of time covered by the utility standard, or such a payment is anticipated, the utility standard may be used by the household for the full year.

Examples

- 1) A household buys oil twice a year in November and February to heat the home. This household is entitled to use the utility standard for the full twelve months of the year.
- 2) A household lives in an apartment where heat is included in the rent. The household, however, uses an air conditioner in the summer and is responsible for the electric bill for the apartment. Since a cooling expense is incurred, the household is entitled to use the utility standard for the full twelve months of the year.

Each household must receive a thorough explanation of the options available in considering utility expenses. The household may switch between use of the standard and actual costs only at the time of certification. If a household moves while certified, the household may switch from one to the other. If the household initially chose to use actual utility costs but the utility standard was allowed because the household failed to declare costs or verify questionable information timely, the household may not switch to actual costs until recertification once the verification is provided.

- f. The utility standard includes the basic service fee for a telephone so a household that uses the utility standard may not also claim a separate telephone expense. For a household that uses actual utility expenses and who incurs an expense for basic telephone service, or has an established percentage of such an expense, the household must use a telephone standard of **\$61**, or the appropriate percentage of the standard.

The agency must divide the telephone standard among households sharing the expense. A telephone expense is allowable even if the household is not entitled to any other utility allowance.

Example

Two SNAP units live together and each pays half of the telephone bill. The bill includes charges for basic service. Each household will receive half the telephone standard as its telephone expense.

- g. Initial installation fees charged by a telephone, utility, or septic tank company are allowed as an expense, over and above the cost of the actual utility. Initial installation fees are allowable even if the utility or phone standards are used. The household may choose to have the installation bill averaged over the months in the certification period or to have the bill assigned to the month received or due. If a payment or budget plan has been established, the expense may be allowed for each month in the payment plan.
- h. One-time deposits for utilities, telephones, housing, etc., will not count as shelter costs.
- i. Shelter expenses, as described above, include the costs for a home (owned or rented) that is temporarily unoccupied provided the household intends to return to the home. The home may be unoccupied because of employment, training, illness, or a natural disaster or loss. If the household has shelter expenses for both an occupied and unoccupied home, the household is entitled to only one utility or telephone standard.

The cost of shelter cannot be claimed if the vacated home is rented to someone else or if a rent-free occupant is claiming the cost of shelter for the home for SNAP purposes.

**A. INCOME ELIGIBILITY STANDARDS (7 CFR 273.9(a))**

To be eligible for SNAP benefits, the countable gross monthly income of households may not exceed the monthly income limits shown below in Chart #1. The gross income limits in Chart #1 do not apply to households with at least one member who is 60 years of age or over or with at least one member who is disabled, as described in Definitions. This exception will also apply to a household with a member whose 60th birthday is in the month of application

For self-employed households, the EW must exclude the cost of doing business to determine the countable income.

All households, except those that are categorically eligible, must be determined eligible based only on net income (gross income less allowable deductions listed in Part X.A). The maximum net income limits are shown in Chart #2.

INCOME ELIGIBILITY LIMITS		
Household Size	CHART #1	CHART #2
	Gross Income Maximum	Net Income Maximum
1	<b>\$ 1,316</b>	<b>\$ 1,012</b>
2	<b>1,784</b>	<b>1,372</b>
3	<b>2,252</b>	<b>1,732</b>
4	<b>2,720</b>	<b>2,092</b>
5	<b>3,188</b>	<b>2,452</b>
6	<b>3,656</b>	<b>2,812</b>
7	<b>4,124</b>	<b>3,172</b>
8	<b>4,592</b>	<b>3,532</b>
Each additional member	<b>+468</b>	<b>+360</b>

Net income determines the amount of SNAP benefits all eligible households will receive. While categorically eligible households, as defined in Part II.G.3, do not have to meet either the gross or net income eligibility standards, the net income limits will determine entitlement to an allotment even for these households.

**B. COUNTABLE INCOME**

Countable income is all household income, earned and unearned, from whatever source, excluding only that income specified in Part XI.F.

Income received by one person for another person or for multiple beneficiaries is considered the income of the person receiving it, unless the provisions of Part XI.G (earned income of several members combined into one payment) apply. Evaluate any income exclusions, such as third party fund exclusion, according to Part XI.F.

When verification of income is required, the local department of social services must verify gross amounts and the rate and frequency (i.e., weekly, semi-monthly, etc.) of the income received. For income received more often than monthly, verify the payment cycle, i.e., the day the income is received.



the payment date and month of receipt. Allow two business days for electronic funds transfer payments to reach the designated debit card or bank account to determine the payment date and month of receipt.

The EW must:

- Take into account the income already received by the household during the application process.
- Consider any anticipated income the household and local agency are reasonably certain will be received during the months of certification.
  - If the amount of income or when it will be received, is uncertain, that portion of the household's income that is uncertain must not be counted.
  - If the total amount of the income is unknown, the portion that the EW can anticipate with reasonable certainty is countable as income.
  - Do not automatically project amounts of past income or assume that current income will continue without exploring the situation with the household.
- Consider work patterns or patterns of receiving income in determining income or in determining whether to average several monthly amounts to project future income more accurately. In discussions with the household, consider:
  - the number of days and hours normally worked;
  - whether overtime pay is available or likely;
  - whether the job is subject to external forces, such as weather; or
  - the number of days usually missed and if pay is affected.

For migrant and seasonal farm workers:

- Be reasonably certain that income is likely to be received based on formal or informal commitments for work for individual instead of the general availability of work in an area.
- Do not base income on an assumption of optimum weather or field conditions

For new income sources, the EW must determine:

- rate of pay,
- the number of hours expected, and
- pay date, including the pay period and date of receipt.

Complete information must be known before counting the income. Estimating amounts by using the rate of pay multiplied by the expected number of hours is acceptable if representative pay stubs are not available. After the initial pay cycles are established, pay stubs or payroll records must be used to project the income unless the EW documents that the information is not representative and why an estimate should be used.

For all application types, generally evaluate income received during the 30-day period before the application filing date. If the income for this period does not reflect the amount the household expects to receive during the certification period, the EW must work with the household to determine a more appropriate amount.

The EW must establish the onset and termination of income. If income amounts change by \$25 or more from one pay period to the next, amounts from additional periods may be needed to determine a more representative amount to use.

If income fluctuates so much that the prior 30-day period does not accurately reflect the income, a longer period may be used if it provides a more accurate indication of fluctuations in future income. The length of time used to create a reasonably accurate amount anticipated does not need to equal the same number of months in the certification period.

If the household's income fluctuates seasonally, it may be appropriate to use the most recent season comparable to the certification period instead of the 30-day period before the application date as an indicator of future income. Use caution however, in using income from a past season as an indicator of current income since the income may fluctuate between the same seasons of different years.

Past income may not be used as an indicator of future income when changes in income can be anticipated.

Whenever income is anticipated for every pay period in a month and it is received on a weekly or biweekly basis, the EW must convert the income to a monthly amount by multiplying weekly amounts by 4.3 and biweekly amounts by 2.15. If the household will receive less than a full month's pay, or if less than a full month's pay is to be counted for SNAP purposes, either the exact amount of income, if it can be anticipated, or an average per pay period times the actual number of pays, can be used.

Pay received on a daily basis must be converted to a weekly or biweekly amount and then converted to a monthly amount by multiplying the weekly amounts by 4.3 and the biweekly amounts by 2.15.

The EW must document:

- decisions made regarding averaging;
- the exclusion or inclusion of certain amounts,
- reasons for using a wider time period to average/anticipate amount; **and**
- reasons why amounts are not representative.

#### B. EVALUATING EXPENSES (7CFR 273.10(d))

An expense is defined as a service provided by someone outside of the SNAP household for which a money payment is made. If a deductible expense is covered by an excluded reimbursement, as defined in Part XI.F.6, or is paid by a vendor payment, as defined in Part XI.F.3, no deductions will be given with the exception of certain energy assistance payments, as described in Part X.A, and any payments that are also personal loans.

<u>Household Size</u>		<u>Income Limits</u>		
Household Size	Monthly Amount	Weekly Amount	Bi-Weekly Amount	Semi-monthly Amount
1	<b>\$ 1,316</b>	<b>\$ 306.05</b>	<b>\$ 612.09</b>	<b>\$ 658.000</b>
2	<b>1,784</b>	<b>414.88</b>	<b>829.77</b>	<b>892.00</b>
3	<b>2,258</b>	<b>523.72</b>	<b>1,0246.44</b>	<b>1,126.00</b>
4	<b>2,720</b>	<b>632.56</b>	<b>1,265.12</b>	<b>1,360.00</b>
5	<b>3,188</b>	<b>741.40</b>	<b>1,482.79</b>	<b>1,594.00</b>
6	<b>3,656</b>	<b>850.23</b>	<b>1,700.47</b>	<b>1,828.00</b>
7	<b>4,124</b>	<b>959.07</b>	<b>1,918.14</b>	<b>2,062.00</b>
8	<b>4,592</b>	<b>1,067.91</b>	<b>2,135.81</b>	<b>2,296.00</b>
Additional members	<b>+468</b>	<b>+108.84</b>	<b>+217.64</b>	<b>+234</b>

2. Time Required and Methods for Reporting Changes

Households must report required changes listed above within 10 calendar days from the date the change occurs or, at the latest, 10 days into the next month after the month the change occurs.

Households may report changes using the Change Report form, by telephone, by personal contact, by mail, or electronically. The household may also report a change of its circumstances with the filing of the Interim Report. A household member, an authorized representative, or any person having knowledge of the household's circumstances may report the change to any staff member of the local department of social services. When the household reports the change by mail, the report will be timely as long as the postmark of the letter is within the required 10-day period regardless of when the local department of social services receives the information.

During the interview, the worker must advise applicants:

- the responsibility to report changes;
- when changes needed to be reported;
- how to report changes;
- the changes that need to be reported; and
- the telephone number of the local office and, if necessary, a toll-free number or a number for accepting collect calls from households outside the local calling area.

The local department of social services must provide the Change Report form to each household at initial application and reapplication and when the agency alters the household size. Additionally, the local department of social services must provide the form at recertification, if the household needs another form, and whenever the household returns a form or reports a change in the number of household members.

information. If the household does not respond within the ten-day period, the worker must send the household an *Advance Notice of Proposed Action* or *Notice of Action* to close the case. If the household responds before the effective date of the closure and there are no changes in the household's circumstances, the worker must rescind the adverse action notice and reinstate the case.

Untimely Response - Changes Reported

The worker must send a household a *Request for Contact* form when a household must clarify its situation or provide additional information as indicated above. The household has ten days to provide the requested information. If the household does not respond within the ten-day period, the worker must send the household an *Advance Notice of Proposed Action* or *Notice of Action* to close the case. If the household responds after the reporting period but before the effective date of the closure, and reports changes to its circumstances, the agency must review the change report and determine the impact, if any, on the household's eligibility or benefit level. If the household remains entitled to an allotment in spite of the information, the worker must send a *Notice of Change* to increase benefits from zero to the revised amount.

No Response to the Request for Contact

If the household does not respond to the request for information by the tenth day, the worker must send the household an adverse action notice to close the case. The basis for the case's closure will be the household's failure to provide clarification.

If the contact request form is undeliverable by the post office because of the address, the worker must send the contact request to the new address, if one is supplied by the post office and the new address is in the same Virginia locality as the worker taking the action. If a returned address indicates that the household is no longer in the locality, the worker must close the case. Depending on when the changes occurred in a household's circumstances, the agency might need to file a claim for benefits that the household incorrectly received.

e. Suspension

When changes cause a household to become ineligible and it appears that the ineligibility will be temporary, the agency may suspend benefits for one month rather than close the case. The worker must send An *Advance Notice of Proposed Action* to suspend unless the change meets one of the exceptions for sending the notice. After the month of suspension, if ineligibility continues, the worker must close the case. The agency must send another *Advance Notice of Proposed Action*. If the ineligibility is indeed temporary, the worker must reinstate the case effective the month following the suspension.

4. Changes in Public Assistance (7 CFR 273.12(f))

The provisions described in this section do not apply to households converting to Transitional Benefits when a TANF case closes. If a change for a PA case requires

either a reduction or termination in public assistance benefits and reduction or termination in SNAP benefits, the agency must issue a single *Advance Notice of Proposed Action* for both the public assistance and SNAP actions.

If the household requests a fair hearing within the period provided by the *Advance Notice of Proposed Action*, the agency must continue the household's SNAP benefits on the basis authorized immediately before sending the notice. The household must reapply for SNAP benefits if the certification period expires before the fair hearing process is over however. If the household does not appeal, the change goes into effect according to the procedures specified in Part XIV.A.2.

If any household's benefits will increase as a result of the reduction or termination of public assistance benefits, the worker must not take any action to increase the household's SNAP benefits until the household decides whether it will appeal the public assistance adverse action. If the household decides to appeal and its PA benefits continue, the household's SNAP benefits must continue at the previous allotment amount. If the household does not appeal, the worker must make the change effective according to the procedures in Part XIV.A.2 except the date the notification of the change is received is the day after the date the Public Assistance *Advance Notice of Proposed Action* expires.

If a change results in the termination of a household's PA benefits and the worker does not have enough information to determine how the change affects the household's SNAP eligibility or benefit level, the worker must take the following action:

- a. When the worker sends the PA *Advance Notice of Proposed Action* the worker must wait until the notice period expires or until the household requests a fair hearing, whichever occurs first. If the household requests a fair hearing and the PA benefits continue pending the appeal, the household's SNAP benefits must continue at the previous benefit amount.
- b. If a PA *Advance Notice of Proposed Action* is not required or the household decides not to request a fair hearing or continuation of PA benefits, the worker must send the household a *Request for Contact* form to seek information or clarification from the household. If the household does not respond within ten days, the worker must send an adverse action notice to close the case.

In jointly processed cases in which the SSI determination results in a denial and the local agency believes that SNAP eligibility or benefit levels may be affected, the local agency must send the *Request for Contact* form for the household to clarify its situation within ten days. The worker must close the case if the household does not respond to the clarification request.

**5. Mass Changes (7 CFR 273.12(e))**

A mass change is one that affects the entire caseload or significant portions of the caseload. Mass change notices are not required if the change does not affect current benefits such as an increase in net income limits. For mass changes that only affect benefits for a portion of the caseload, the agency may opt to send notices to the

- i. mass changes to TANF or GR grants.
- j. monthly supplements to TANF grants based on the receipt of child support issued at the beginning of the month.

Many of the mass changes listed in this section may be effective on October 1 of each year.

Local and state agencies will receive instructions for implementing mass changes as the changes occur.

6. Failure to Report Changes

Households must report certain changes in circumstances as specified in Part XIV.A. If the EW discovers during the certification period that a household failed to report a change as required and, as a result, received benefits to which it was not entitled, the EW must issue an *Advance Notice of Proposed Action* and establish a claim against the household according to Part XVII.A if the agency has enough information to determine ineligibility or the new benefit level. If the agency does not have enough information to determine a new benefit level or ineligibility, the EW must send the *Request for Contact* to allow the household ten days to clarify information or to supply verification. The household must supply information or take required action within ten days or the EW must close the case. The EW will have ten days to act on the change from the date the agency learns of the change.

The agency may not disqualify household members for failing to report a required change unless the agency establishes through investigation that an intentional program violation occurred. In addition, the agency may not file a claim against a household for failure to report a change that it is not required to report.

7. Reductions or Terminations Due to Disqualification (7 CFR 273.11(c)(3))

When the agency determines that an individual is ineligible within the household's certification period, the EW must determine the eligibility or ineligibility of the remaining household members.

- a. If a household's benefits are reduced or terminated within a certification period because one of its members was disqualified due to intentional program violation, the EW must notify the remaining members of their eligibility and benefit level at the same time the excluded member is notified of his or her disqualification. The household is not entitled to an *Advance Notice of Proposed Action*, but may request a fair hearing to contest the reduction or termination of benefits, unless the household has already had a hearing on the amount of the claim.
- b. If a household's benefits are reduced or terminated within the certification period because one or more of its members is disqualified, as addressed in Part XII.E, the EW must issue an *Advance Notice of Proposed Action* that

A. Replacement of EBT Cards

This chapter covers general guidance for replacing EBT cards, benefits in electronic benefit accounts and food purchased with SNAP benefits destroyed in a household disaster. See Chapter G of the Virginia EBT Policies and Procedures Guide for additional information.

Households need an EBT card to access SNAP benefits. The cardholder may call the Customer Service Representative (CSR) for the EBT card vendor to request a replacement card or contact the local agency. The CSR will validate the system address before issuing a replacement card if the cardholder calls Customer Service for a replacement card. If the address is incorrect, the card vendor, **cannot mail** a replacement card. **The CSR will status the card if lost or stolen and will refer the cardholder to the local agency to have the address updated. The local agency must issue a replacement card via mail or a vault card, per the household's request.**

**The local agency must offer a vault card as a replacement card upon request by the cardholder. The agency must status the card immediately upon notification from the cardholder that the card is lost and/or stolen. A member of the eligibility staff in the local agency must complete the *Internal Action and Vault EBT Card Authorization* form to authorize the issuance of a vault card and notify the card issuance unit so that the card is available for pick as soon as administratively possible.** Document crediting the replacement fee to the household's account. See Part XXIV for a copy of the *Internal Action and Vault EBT Card Authorization* form.

**A request for a replacement card will result in the deduction of a \$2.00 card replacement fee from a household's EBT account, unless the fee is waived by the local agency depending on the household's circumstances. The vendor cannot waive the card replacement fee.**

The local agency must credit the fee back to the household's account if the replacement is due to a household disaster, **a lost or stolen card, if the original card is undelivered through the mail, the card is worn, or** violence against the household or for improperly manufactured cards. See Part XVIII.A.4 for information about assigning and crediting of the fee for replacement cards.

1. Undelivered EBT Card

a. Undeliverable, Returned Cards

The post office will not deliver EBT cards with inaccurate or incomplete addresses. The post office will not forward EBT cards to a new or changed address if households move but fail to report the change to the local agency.

If the card is undeliverable because of an incomplete or inaccurate address for the primary cardholder or the authorized representative, the EW must update the mailing address, as appropriate.

b. Nonreceipt of the EBT Card

In instances when cardholders report the nonreceipt of a mailed EBT card to the local agency, the agency must check the EBT account to determine the mailing date and check if the status of the card has been changed. If more than six mail days has passed and the status of the card is unchanged, **the local agency must offer the household a vault card. The local agency must issue the replacement card via the method requested by the household, either a vault card or sent vial mail.**

If the cardholder reports the nonreceipt of a mailed EBT card to Customer Service after a sufficient mail period, the CSR will change the status of the card to cancel the card. The vendor will mail another card to the household or, at the cardholder's option, defer mailing another card to allow the cardholder to receive a vault card at the local agency. In either case, the card must be available for pick up in the agency or is mailed within two business days of the cardholder's report.

Households will not have the \$2.00 card replacement fee assessed against their benefit accounts when they receive replacement of undelivered cards. Households will generally have the card replacement fee automatically deducted from the account except when there is a replacement card for a card in an inactive status such as the initial card lost in the mail or one returned as undeliverable.

2. Lost, Stolen, Damaged Cards

When a cardholder reports an inability to access the household's benefits because the EBT card is unavailable for use, the cardholder must call **the agency or the CSR** to request deactivation of the card. Deactivation will prevent the usage of the card should the cardholder or someone else attempt to use the card.

The cardholder must request replacement of the card through the CSR or the local agency. The cardholder must note the reason for the replacement to the local agency. **A replacement card must be available for pick up or mailed immediately.**

The reason for the destruction or unavailability of the original card will determine whether the local agency credits the replacement fee back to the household's account. Reasons for replacing an EBT card include:

- Lost – The cardholder loses or misplaces the card.
- Stolen – The cardholder loses the card through violence exerted upon a household in an act of robbery or burglary committed by someone outside the household.
- Household Disaster – The cardholder loses or damages the card through a household fire or natural disaster, such as a flood or tornado.
- Card Damage (negligence) – The card is unusable because of the cardholder's neglect.
- Card Damage (improperly manufactured) – The card is unusable because of a manufacturing error



### 3. EBT Card Replacement Fee

Each cardholder will receive written and verbal instruction on how to protect the EBT card. When an EBT card is or becomes unusable for any reason, the cardholder must obtain a replacement card to access the household's EBT account. The EBT card vendor will deduct \$2.00 from each SNAP case benefit account for replacement EBT cards in nearly every instance when a cardholder receives a replacement card.

The automatic fee deduction will not occur when the original card has an inactive status or when a household reapplies for benefits. The chart below summarizes application of the card replacement fee.

No Fee	Fee Deducted	Fee Credited
Reapplication		x (if applied)
Inactive card, such as lost in the mail		x (if applied)
	Lost	
	Stolen/robbery	x
	Household disaster	x (verify if questionable)
	Improperly manufactured	X
	Cardholder name change	X
	Card damaged/destroyed	
		x Agency-caused error, such as misspelled name

### 4. EBT Card Replacement Fee Credit

The EBT vendor will automatically deduct a \$2.00 fee from a household's SNAP EBT account in most instances when a cardholder requests a replacement card. There are instances however, when, despite proper care of the card by the cardholder, the household experiences loss or destruction of the EBT card. In these instances, the local agency must credit the \$2.00 replacement fee back to the household's account.

An eligibility or administrative unit supervisor must authorize the fee credit on the *Internal Action and Vault EBT Card Authorization* form.

The local agency must credit the card replacement fee when a household experiences an individual household disaster or there is a natural disaster. An EBT card destroyed by fire or a flood, tornado, hurricane or earthquake would allow the agency to credit the replacement fee back to the household. The agency must verify the impact of the disaster upon the household if the report is questionable, otherwise, the household's statement is acceptable.

The local agency must also credit the replacement fee when a cardholder loses the card through violence inflicted upon the household or cardholder by someone outside the household. The agency may verify the existence of the police report if the information is questionable, otherwise, the household's statement is acceptable.

In addition to crediting the replacement fee for instances of a household disaster or violence against the household, the local agency must credit the replacement fee if the agency discovers an improperly manufactured card after a cardholder receives the card. The agency must also credit the replacement fee if the vendor fails to identify a replacement card at reapplication or a replacement for an inactive card. The local agency may also credit the fee back to the household's account, if requested, when the household identifies another **primary cardholder** or authorized representative.

The chart above summarizes instances when the local agency must credit the card replacement fee to the household. As indicated above, an eligibility or administrative supervisor must authorize the credit. The Issuance Supervisor must provide the credit.

## B. BENEFIT REPLACEMENT

Households will not receive a replacement for benefits lost due to loss of the EBT card and/or PIN up to the time that the cardholder reports the loss to CSR or the local agency. Households will have benefits replaced if someone accesses the benefits after the household reported to CSR that the card was lost or stolen. Households will also receive replacement for benefits lost due to a system error.

## C. REPLACEMENT OF FOOD DESTROYED IN A DISASTER

Households may request a replacement for food purchased with SNAP benefits and that was subsequently destroyed in a household disaster. This policy may apply to an individual household disaster or a disaster that affects more than one household.

The agency must use prudent judgement when households request a food replacement. Eligibility for a replacement must be based on the benefit amount for the month, the amount of the food loss reported, and time of the month when the loss occurred on a case-by-case basis. The agency may deny replacement requests, such as for unsupported explanations or unacceptable collateral contacts. See Part III.A.3 for a discussion of collateral contacts. Households may appeal the denial of a replacement request or the authorized amount.

Normally, replacements would only be made to currently participating households, but this is not a requirement for a food replacement. The household must be able to provide a reasonable explanation to document the food purchase with SNAP benefits and the amount of time lapsed from participation in the program.

The household may be entitled to a replacement of the actual value of the loss but the amount may not exceed the benefit amount for one month. The household must report the disaster within 10 days of the loss. A household member must sign the *Food Replacement Request* form attesting to the loss. If the local agency does not receive the affidavit within 10 days after the report of the loss, the household will not receive a replacement. If the 10th day occurs when the local agency is closed and the affidavit is received the day after the local agency reopens, the agency must consider the statement as received timely. See Part XXIV for the Food Replacement Request form.

The agency must verify the household's disaster. Sources of verification include community agencies, such as the Red Cross or fire department or the power company to determine power outages. Replacement may be provided for food destroyed after power outages that exceed eight hours.

The agency must provide replacement benefits within 10 days of the reported loss or within 2 working days of receiving the affidavit, whichever is later.

There is no limit on the number of times a household may receive replacement of food destroyed in a disaster. If USDA issues a disaster declaration and the household is eligible for emergency benefits under that policy, the household may not receive both the emergency benefits and a replacement for the same time period. See Part XX for a discussion of the disaster program.

A. Introduction

If there is an emergency or major disaster, such as a hurricane, tornado, storm, flood, snowstorm, drought, fire, explosion or other disaster, the regular program may not be able to handle the increased number of households needing food assistance. Under certain conditions, localities and states can petition the Food and Nutrition Service (FNS) to authorize implementation of the Disaster Supplemental Nutrition Assistance Program (D-SNAP).

This chapter outlines how the Commonwealth of Virginia will administer an effective and efficient D-SNAP. Depending on the circumstances, Virginia will request program waivers, as appropriate. Additionally, the Virginia Department of Social Services will advise local departments (LDSS) of changes to required information needed for eligibility determinations.

The D-SNAP Web-Based Eligibility Application User's Guide outlines procedures for accessing the online D-SNAP system. The User's Guide is available at <http://spark.dss.virginia.gov/divisions/bp/fs/disaster.cgi>

B. Local Planning

Each LDSS must develop and maintain a local disaster plan. Local plans must be **submitted annually by April 15<sup>th</sup>** to the state office D-SNAP coordinator **electronically** for storage on a state shared drive. See Part D, Assessment and Evaluation of a Disaster for elements that should be included in the plan. A disaster planning guide is available online at <http://spark.dss.virginia.gov/divisions/bp/fs/disaster.cgi>.

When a disaster occurs, VDSS will communicate with local personnel identified as the Local Contact for the affected locality. This contact will be to discuss the feasibility and desirability of operating a D-SNAP. A list of local contacts is available online at <http://spark.dss.virginia.gov/divisions/bp/fs/disaster.cgi>.

If a large number of localities are affected by the disaster, VDSS will hold a conference call with the Local Contacts to review the criteria for operating the D-SNAP. If one or more LDSS opts to submit an application, VDSS will convene regional, face-to-face, or teleconference meetings to discuss aligning program days/hours of operation and program options within the region. If appropriate, all localities must operate the D-SNAP during the same days and use the same program options.

Each locality offers different resources and may face different challenges in terms of staffing of the local social services department, physical space and community demand. If a disaster occurs, the need for assistance can vary greatly from one area to another.

Each LDSS must develop a local disaster plan that addresses issues and prepares the community to meet the needs of the citizens. The local plan must identify and include appropriate community partners.

The plan should also include other city/county government agencies that will share responsibilities during the disaster. The LDSS, with the help of its partners, will carry out those plans in the event of a disaster that warrants implementation of the D-SNAP.

HOUSEHOLD SIZE	INCOME LIMIT	BENEFIT AMOUNT FULL MONTH	BENEFIT AMOUNT HALF MONTH*
1	<b>\$2,468</b>	<b>\$192</b>	<b>\$ 97</b>
2	<b>3,208</b>	<b>352</b>	<b>176</b>
3	<b>3,685</b>	<b>504</b>	<b>252</b>
4	<b>4,339</b>	<b>640</b>	<b>320</b>
5	<b>4,782</b>	<b>760</b>	<b>380</b>
6	<b>5,341</b>	<b>913</b>	<b>457</b>
7	<b>5,746</b>	<b>1,009</b>	<b>505</b>
8	<b>6,152</b>	<b>1,153</b>	<b>577</b>
Each additional person	<b>+\$406</b>	<b>+\$144</b>	<b>+\$72</b>

\* The half-month benefit amount is calculated by dividing the full month amount by two and rounding up to the nearest whole dollar amount.

- d. For eligible households, the worker must complete the Internal Action Form for Disaster Benefits to authorize the issuance of the EBT card. See Appendix I for a copy of the form.

#### M. DISASTER PROGRAM BENEFIT PERIOD

1. The benefit period for the D-SNAP is not based on a calendar month as it is for the regular program. The benefit period is determined by the disaster benefit period authorized by FNS. The period will be either a half-month (15 days) or a full month (30 days).
2. The full amount of accessible liquid resources must be counted regardless whether the length of the disaster benefit period is a half month or a full month.
3. If the disaster benefit period is a half-month, income over the 15 day period must be counted. If the disaster benefit period is a full month, then income during the 30-day period must be counted. The maximum income limit for the appropriate household size must not exceed the disaster income eligibility limit as shown in the table in Chapter L.

#### N. VAULT CARD ISSUANCE PROCEDURES

For the D-SNAP, eligible households must receive a new EBT card and EBT account. There must be a new card and account even if households are already known to the EBT system. Procedures for setting up EBT accounts are in Appendix IV of this chapter.

To issue EBT cards in the D-SNAP, the local agency must issue vault cards in the same manner they are issued for regular program operations. The eligibility worker must authorize issuance of a vault card in the **D-SNAP stand-alone** system and prepare the Internal Action Form. Refer to the EBT Policy and Procedures Guide.

A. CALCULATING BENEFIT ALLOTMENTS

The tables on the following pages show the appropriate benefits for household sizes 1 through 10.

For household sizes 1 and 2, **\$15** is the minimum allotment for all eligible households, including PA categorically eligible households. The maximum monthly net income does not apply to categorically eligible households however.

For household sizes 3 through 10, the allotment tables are calculated from the maximum benefit allotment to the \$2 minimum allotment. **NOTE: ONLY PA CATEGORICALLY ELIGIBLE HOUSEHOLDS ARE ELIGIBLE FOR ALLOTMENTS WHERE THE HOUSEHOLD'S NET INCOME EXCEEDS THE NET INCOME MAXIMUM.** For example, for a 4-person household, the maximum net income is **\$2,092**. The allotment offered at that level of income is **\$25**. The rest of the allotment table, from the net income of **\$2,093** through **\$2,130**, the last income figure, for which an allotment is available, applies to PA categorically eligible households only.

To calculate issuances to households of more than ten persons, use the following formula:

1. Maximum Benefit Allotment. If there are more than ten household members, add **\$144** to the monthly maximum benefit allotment.
2. Maximum Monthly Net Income. If there are more than ten household members, add **\$360** to the monthly maximum net income. **NOTE:** Maximum monthly net income limits do not apply to PA categorically eligible households.

There will be occasions when a household is entitled to an allotment of \$1, \$3, or \$5. This can occur when a supplement, replacement or restoration is given, or when an allotment reduction calculation results in entitlement to \$1, \$3, or \$5. Raise allotments of \$1, \$3 or \$5 to the next dollar amount, namely \$2, \$4 or \$6 respectively.